



**Service of Process
Transmittal**

08/02/2021

CT Log Number 540006509

TO: Thomas Sparno, General Counsel
Schindler Elevator Corporation
20 Whippany Rd
Morristown, NJ 07960-4524

RE: Process Served in Texas

FOR: Schindler Elevator Corporation (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: ANAM IMRAN, PLTF. vs. THE WOOLDANDS MALL ASSOCIATES LLC AND SCHINDLER ELEVATOR CORPORATION, DFTS.

DOCUMENT(S) SERVED: --

COURT/AGENCY: None Specified
Case # 202145987

NATURE OF ACTION: Personal Injury - Failure to Maintain Premises in a Safe Condition

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Process Server on 08/02/2021 at 03:42

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): None Specified

ACTION ITEMS: CT has retained the current log, Retain Date: 08/02/2021, Expected Purge Date: 08/07/2021

Image SOP

Email Notification, Elizabeth Dunn elizabeth.dunn@schindler.com

Email Notification, Yohanny Nguyen yohanny.nguyen@us.schindler.com

REGISTERED AGENT ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
866-401-8252
EastTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

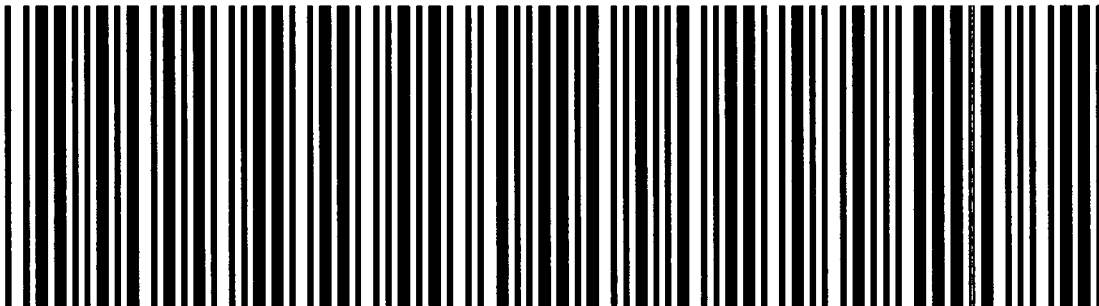


PROCESS SERVER DELIVERY DETAILS

Date: Mon, Aug 2, 2021

Server Name: Steve Friedenthal

Entity Served	SCHINDLER ELEVATOR CORPORATION
Case Number	202145987
Jurisdiction	TX



Receipt Number: 902745
Tracking Number: 73895928

EML
COPY OF PLEADING PROVIDED BY PLT

CAUSE NUMBER: 202145987

PLAINTIFF: IMRAN, ANAM	In the 157th Judicial
vs.	District Court of
DEFENDANT: THE WOOLDANDS MALL ASSOCIATES LLC	Harris County, Texas

CITATION

THE STATE OF TEXAS
County of Harris

TO: SCHINDLER ELEVATOR CORPORATION (A DOMESTIC LIMITED LIABILITY COMPANY) MAY BE
SERVED THROUGH ITS REGISTERED AGENT CT CORP SYSTEM
1999 BRYAN STREET SUITE 900
DALLAS TX 75801

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION.

This instrument was filed on July 29, 2021, in the above numbered and styled cause on the docket in the above Judicial District Court of Harris County, Texas, in the courthouse in the City of Houston, Texas. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

ISSUED AND GIVEN UNDER MY HAND and seal of said Court, at Houston, Texas, this July 29, 2021.



Marilyn Burgess

Marilyn Burgess, District Clerk
Harris County, Texas
201 Caroline, Houston, Texas 77002

Generated By: LISA THOMAS

Issued at request of:
Hammond, Milton
9186 Katy Freeway
Houston, TX 77075
713-888-8888

Bar Number: 08867720

Tracking Number: 73895928
EML

CAUSE NUMBER: 202145987

PLAINTIFF: IMRAN, ANAM

vs.

DEFENDANT: THE WOOLDANDS MALL ASSOCIATES
LLC

In the 157th
Judicial District Court
of Harris County, Texas

OFFICER/AUTHORIZED PERSON RETURN

Came to hand at _____ o'clock _____. M., on the _____ day of _____, 20____.

Executed at (address) _____
in _____ County
at _____ o'clock _____. M., on the _____ day of _____, 20____,

by delivering to _____ defendant,
in person, a true copy of this
Citation together with the accompanying _____ copy(ies) of the
_____ Petition
attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this _____ day of _____, 20____.

FEE: \$ _____
_____ of _____
County, Texas

Affiant By: _____ Deputy

On this day, _____, known to me to be
the person whose signature
appears on the foregoing return, personally appeared. After being by me duly sworn,
he/she stated that this citation was executed by him/her in the exact manner recited
on the return.

SWORN TO AND SUBSCRIBED BEFORE ME on this _____ of _____, 20____

Notary Public

CAUSE NO. _____

ANAM IMRAN
Plaintiff,

v.

THE WOODLANDS MALL
ASSOCIATES, LLC and SCHINDLER
ELEVATOR CORPORATION,
Defendants.

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§

IN THE COURT OF

_____ JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Plaintiff, ANAM IMRAN, to file this original petition against Defendants, THE WOODLANDS MALL ASSOCIATES, L.L.C. and SCHINDLER ELEVATOR CORPORATION, and alleges as follows:

DISCOVERY-CONTROL PLAN

1. Plaintiff intend to conduct discovery under Level 2 of Texas Rule of Civil Procedure 190.3.

CLAIM FOR RELIEF

2. Plaintiff seeks monetary relief over \$250,000 but not more than \$1,000,000.00.

PARTIES

3. Plaintiff, ANAM IMRAN, is a resident of Harris County and is authorized to file suit in this county.

4. Defendant, THE WOODLANDS MALL ASSOCIATES, L.L.C. is a domestic Limited Liability Company organized under the laws of the state of Texas. It may be served through its registered agent, Corporation Service Company DBA CSC – Lawyers INCO, 211 East 7th Street, Suite 620, Austin, Texas 78701, wherever it may be found.

******ISSUANCE OF CITATION IS REQUESTED AT THIS TIME******

5. Defendant, SCHINDLER ELEVATOR CORPORATION is a domestic limited liability company organized under the laws of the state of Texas. It may be served through its registered agent, CT Corp System, 19999 Bryan Street, Suite 900, Dallas, Texas 75801-3136, wherever it may be found.

******ISSUANCE OF CITATION IS REQUESTED AT THIS TIME******

VENUE

6. Venue is proper in Harris County, Texas because: Defendant Schindler is a foreign corporation doing business in Harris County, Texas; and Plaintiff resides in Harris County, Texas.

MISNOMER

7. Plaintiff specifically invokes the right to institute this suit against whatever person(s), entity and/or entities which or who were conducting business and/or representing they were conducting business using other names, aliases or common names and Plaintiff expressly invokes his rights under Rule 28 and 71 of the Texas Rules Civil Procedure to have the true name of the entity, person(s) and/or party submitted at a later time upon the motion of any party or of the Court and/or in the interest of justice.

FACTS

8. All allegations are pleaded in the alternative. On or about November 28, 2020, Plaintiff Anam Imran was shopping on The Woodlands Mall premises at 1201 Lake Woodlands Drive, Suite 700, The Woodlands, Texas 77380. While on an escalator on Defendants' interior premises, Plaintiff slipped on a puddle of water while descending on an escalator, causing her to fall and sustain severe injuries. There were no warning signs to alert Plaintiff of this danger, and

the hazard was totally or partially hidden from view by the escalator and or structures and was not open and obvious. As a result of this fall, Plaintiff suffered severe injuries and incurred damages.

PREMISES LIABILITY

9. At all times mentioned herein, Defendant THE WOODLANDS MALL ASSOCIATES, LLC at all times material herein was and is the owner, possessor, manager, maintainer and otherwise in possession of the premises located at 1201 Lake Woodlands Drive, Suite 700, The Woodlands, Texas 77380, including the escalator on the premises located at The Woodlands Mall, and was so on November 28, 2020, before; and during these times, Defendant had the requisite right of control, by way of actual, legal and/or retained control, over the The Woodlands Mall, including the escalator that contained a hazardous and slipper surface upon which Plaintiff fell and sustained serious injuries.

10. The walking surface and escalator that is located at the Woodlands Mall poses an unreasonable risk of harm, in that it contained a slippery surface and substance which constituted a hazardous condition of which Defendant was aware and/or should have been aware.

11. Paragraphs 7, 8, and 9 are incorporated herein, Defendant had a duty to use ordinary care to ensure that its premises, including the hazardous escalator and slippery surface upon which Plaintiff slipped and suffered injuries, did not present a danger to Plaintiff. This duty included the duty to inspect, repair, and maintain and the duty to warn and/or to cure the dangerous condition or make the premises safe, which the Defendant failed to do.

12. Defendant failed to use ordinary care by: (1) By failing to maintain its premises, specifically the escalator and slippery surface in the The Woodlands Mall, in reasonably safe conditions; (2) By failing to inspect its premises, specifically the escalator and slippery surface in the The Woodlands Mall, for hazardous conditions; (3) By failing to warn individuals, such as

Plaintiff, of the hazardous conditions; (4) By failing to eliminate or repair the unsafe and dangerous conditions which caused a threat to individuals, such as Plaintiff; (5) By failing to put up signs to warn of the dangerous escalator and slippery surface; (6) By failing to erect a barricade around the hazards; and (7) Such other and further acts of negligence which may be shown after discovery in this cause. Defendants' acts, omissions and negligence constituted a failure to act as a reasonably prudent person under the same or similar circumstances and such negligence proximately caused Plaintiff's injuries and damages.

NEGLIGENT UNDERTAKING – BOTH DEFENDANTS

13. Further, both Defendants undertook, gratuitously or for consideration, to render services to Plaintiff, which Defendants should have recognized as necessary for the protection of Plaintiff's person or things, under the Restatement (Second) of Torts §323.

14. Defendants failed to exercise reasonable care to perform this undertaking, by not properly maintaining its premises, regularly inspecting its premises and creating and enforcing policies to regularly inspect and maintain the premises, particularly the hazardous condition which severely injured Plaintiff, thus increasing Plaintiff's risk of harm. Restatement (Second) of Tort §323.

OTHER CLAIMS AGAINST SCHINDLER-PRODUCT LIABILITY

15. Defendant SCHINDLER ELEVATOR CORPORATION is strictly liable for Plaintiff's injuries in one or more of the following ways:

- a. Defective design of product;
- b. Defective manufacture of product;
- c. Defective installation of product;
- d. Defective maintenance and repair of product; and
- e. Failure to warn (defective marketing).

DAMAGES

16. Defendants, jointly and severally, proximately caused injury to Plaintiff which resulted in the following damages:

- a. Physical pain and suffering, from November 28, 2020, to the future,
- b. Mental anguish, from November 28, 2020, the future,
- c. Physical disfigurement, from November 28, 2020, to the future,
- d. Physical impairment, from November 28, 2020, to the future,
- e. Diminished capacity to enjoy life and society, from November 28, 2020, to the future, and
- f. Reasonable and necessary medical expenses, from November 28, 2020, to the future.

REQUIRED DISCLOSURE

17. Pursuant to Texas Rule of Civil Procedure 194(a), Defendant is required to disclose, within thirty (30) days of the filing of the first answer, the information or material described in Rule 194.2(b) 1-12. Any Defendant that is served or otherwise joined after the filing of the first answer must make their initial disclosures within thirty (30) days after being served or joined.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully pray that Defendant be cited to appear and answer herein, and that upon final hearing of the cause, judgment be entered for the Plaintiff against Defendant for damages in an amount within the jurisdictional limits of the court, together with pre-judgment interest at the maximum rate allowed by law post-judgment

interest at the legal rate, costs of court, and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

RAMJI LAW GROUP

/s/ Milton G. Hammond

Milton Hammond

Texas Bar No. 08867720

Adam Ramji

Texas Bar No. 24045209

9816 Katy Freeway

Houston, Texas 77055

Telephone: (713) 888-8888

Facsimile: (866) 672-3372

E-service only: service@ramjilaw.com

ATTORNEYS FOR PLAINTIFF